

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: MATT HUNTER
DEPUTY ATTORNEY GENERAL

DATE: FEBRUARY 12, 2021

SUBJECT: IN THE MATTER OF CUSTER TELEPHONE BROADBAND SERVICES
LLC'S PETITION FOR EXPANSION OF ITS ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATED SERVICE AREA;
CASE NO. CTB-T-21-01

On January 29, 2021, Custer Telephone Broadband Services LLC ("CTBS") petitioned to expand its designated service area as an Eligible Telecommunications Carrier ("ETC").

BACKGROUND

CTBS is a wholly owned subsidiary of Custer Telephone Cooperative, Inc., which was a winning bidder in the Rural Digital Opportunity Fund ("RDOF") Auction 904 to provide broadband service in specific Idaho census blocks. Application at 1. Custer Telephone Cooperative, Inc. assigned its winning bids to CTBS on December 22, 2020. *Id.* CTBS asserts that it is required under the rules of the RDOF auction to seek and receive designation as an ETC in all census blocks in which it was awarded RDOF support. *Id.* at 2.

In 2014, CTBS sought designation as an ETC for the limited purpose of participating in Lifeline and receiving universal service fund, low-income support in the Salmon, Idaho exchange area. *See* Case No. CTB-T-14-01, Order No. 32989. In Order No. 33002, the Commission designated CTBS a Lifeline-only ETC.

THE APPLICATION

CTBS seeks Commission approval "to expand its low-income/Lifeline-only ETC designation for purposes of receiving high cost RDOF support in those areas located within its [existing service area] and to expand its [existing service area] to include those areas...for which it has been awarded RDOF support via Auction 904." Application at 2. CTBS asserts it meets the

federal and state requirements for designation as an ETC, and argues that designating CTBS as an ETC is in the public interest. *Id.* at 3-5. CTBS asks that the Commission issue a final order on its petition prior to June 7, 2021. *Id.* at 5.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure, setting an April 1, 2021 comment deadline and an April 15, 2021 reply comment deadline.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure, setting an April 1, 2021 comment deadline and an April 15, 2021 reply comment deadline?

A handwritten signature in blue ink, appearing to read "Matt Hunter", is written over a horizontal line.

Matt Hunter
Deputy Attorney General

I:\Legal\TELEPHONE\CTB-T-21-01\CTBT2101_dec memo_mh.docx